

## **GUIDELINES FOR SEARCHES**

1. Any area of a correctional facility may be visually inspected or searched at any time.
  - a. These inspections may be conducted in any area of a facility, or of any item located within a correctional facility.
  - b. These inspections apply to any item(s) that an individual is requesting to bring into the secure area of a correctional facility.
  - c. When an individual is not requesting to bring an item into the secure area of a facility, and where the items(s) are not the property of the state, staff will not conduct inspections. However, if staff is concerned about the contents of those items, they may direct that person to return those items to their vehicle, or off facility grounds. Examples include, but are not limited to, personal vehicles, cell phones or other electronic storage devices, or any other personal unless;
    - i. During an emergent situation, such as, but not limited to, an escape, all vehicles and property entering facility grounds may be subject to inspection. In such situations, the Superintendent must provide the authority to conduct these inspections
  - d. Inspections may employ tools to aid with searches such as, but not limited to, cell phone detectors, mirrors, metal detectors, and drug detection K9's.
2. Searches of staff, visitors, volunteers, contracted staff and others seeking entrance into the secure area of a facility:
  - a. Searches of all non-inmate persons are limited to:
    - i. Asking the individual to remove his/her outerwear for a closer visual inspection;
    - ii. Asking the individual to empty all of his/her pockets;
    - iii. Visual inspection of bags, briefcases, tool bags, etc.
    - iv. Submit to a metal detection device (walk through or wand)
    - v. A visual inspection of an item may include a DOC staff person handling the item for closer inspection.
    - vi. If staff has a concern that a particular item may present a risk to the safety or security of a facility, they may direct the individual to place the item in a locker, or return the item to their car.
    - vii. Staff searches will only be conducted by Supervisors or their superiors.
  - b. At no time, during the course of a search, will DOC staff persons make physical contact with another person who is not an inmate, and where the purpose is to determine if the person has prohibited items on their person.
  - c. If a staff person has a reasonable belief that an individual has a prohibited item concealed on his/her person or in his/her possessions, and where the steps above have not revealed a prohibited item, the Supervisor will be contacted.
    - i. If the supervisor has reasonable suspicion that a person has a prohibited item concealed on his/her person or in his/her possessions, they may deny entry. If that person is a DOC employee, the Supervisor will contact the

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- Superintendent before making a determination about allowing that person entry.
- d. Persons who refuse to comply with these inspections will not be permitted into the secure area of a facility.
    - i. If a DOC employee refuses to comply with an inspection, they will not be permitted entry into a facility, and may be subject to disciplinary action, and the Superintendent notified immediately.
3. Discovery of an illicit or illegal item:
- a. If, during the course of a search, an item which is illicit or illegal is discovered the Vermont State Police will be notified.
4. Use of force:
- a. At no time will staff use force on any non-inmate for the purposes of conducting a search.
5. Maintaining respect and dignity:
- a. All staff is expected to comport themselves professionally while interacting with any persons.
  - b. Staff inspections will occur in as private a setting as possible, and away from other staff and/or others who may be in the area.
  - c. Staff inspections, while taking place in a private setting, will be conducted in an area where a facility camera is present, and within view of the camera angle.
6. Search of residence
- a. If the offender is not the owner/lessee of the residence, they cannot give consent to search the areas of the residence that are not their primary living area. They can give consent to search their primary living quarters/room.
  - b. A search of a residence that is not the offender's primary living area requires the consent of the owner or lessee.
  - c. When conducting planned searches, at a minimum two staff members will be present. Staff is authorized to place the offender in restraints for safety reasons when conducting the search.
  - d. If DOC staff receive information that a weapon or other dangerous items are at an offender's residence they must be accompanied by law enforcement.
  - e. DOC staff will not search a residence of an offender at the request of Law Enforcement. If Law Enforcement suspects that criminal activity has occurred in the residence, they will need to obtain a search warrant.
  - f. If law enforcement obtains a search warrant, DOC staff are not authorized to assist in the search of the residence. They may provide any needed or necessary

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information to law enforcement that they may require, or they may be present for the sole purpose of identification of the offender.

- g. If an offender is incarcerated, DOC staff is not authorized to return to the offender's previous residence for the purposes of conducting a search.
  - h. If during a search of a residence DOC staff discovers any illegal items, they will:
    - i. Maintain officer safety and control advantage.
    - ii. Immediately notify law enforcement of the situation.
    - iii. Do not tamper with or remove the items unless for safety reasons.
7. Search of Non-DOC Employees at a Probation and Parole Office
- a. All non-DOC employees entering a secured area of a Probation and Parole Office are subject to a search of any bags they bring into the secure area.
  - b. All non-DOC employees entering a secured area of a Probation and Parole Office are subject to emptying out their pockets of any possessions they bring into the secure area.
  - c. All non-DOC employees entering a secured area of a Probation and Parole Office are subject to the use of metal detectors.

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